

REMARKS

The applicant has made the suggested changes to the claims which were objected to by the examiner.

The applicant has also amended claim 1 to more clearly state the function of the pads on the lower sheet.

The Amatangelo reference should not be used against the applicant as Amatangelo is not from a related art and actually teaches away from the invention.

Amatangelo discloses a shipping container. This is a non-analogous art, which would not be looked to when designing a support device.

Further, Amatangelo at column 2 lines 56-60 states, “ It is commonly accepted that one sheet of paper of a cardboard container would not be strong enough to function as a hinge and the fluted plastic appears to the ordinary person to be analogous to cardboard.”

The applicant in designing a foldable support device for holding papers would be thinking along the lines of a very light weight and not very strong support panel similar to cardboard and not a strong panel as in a container. Using a thinner plastic would be more analogous to using cardboard which Amatangelo says is commonly accepted as not strong enough.

The examiner stated that, “It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the device to be formed from a plastic sheet material comprised of upper and lower sheets separated by longitudinally spaced, parallel ribs because one would have been motivated to provide a foldable support that is simple and efficient to use and easily collapsible as taught by Amatangelo (col. 2 lines 22-25).”

This statement is believed to be incorrect as a shipping container would have to withstand large forces and would be made of a thicker stronger plastic.

The applicant in designing a foldable support device for holding papers would be thinking along the lines of a very light weight and not very strong support panel similar to cardboard and not a strong panel as in a container. Using a thinner plastic would be more analogous to using cardboard which Amatangelo says is commonly accepted as not strong enough.

Therefore the applicant would not look to a diverse art like shipping containers to modify

for her invention, and further since the Amatangelo reference teaches away from using cardboard which would be similar to the thinner materials used by the applicant, the applicant would be even less obvious to have modified Amatangelo combined with Borke et al to arrive at her invention.

Since it would not be obvious to combine Amatangelo with Borke et al to arrive at her invention it is believed that the claims are allowable over the prior art.

Further, the claimed invention is in a crowded art and therefore even a small step forward should be regarded as significant.

There are many other foldable support devices which fold up and unfold in a similar manner, however most of these devices have solid and strong hinges, for holding heavy articles such as computers and books.

The invention as claimed by the applicant provides advantages not found in other devices of its type particularly by using the ribbed design which allows it to be folded or flattened while being light weight for easy of carrying around while being durable and strong enough to hold papers for ease of reading.

Since the claimed invention provides advantages by means of a different construction, in a crowded art the claims should be allowed as an advance in a crowded art even though the advantages may be considered a small step forward.

The applicant believes that the application is in a condition for allowance for the reasons stated above.